

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

October 19, 2000

- C034230 EATON v. RICE (Not for Publication)**
The judgment is reversed. Respondent shall pay appellant's costs on appeal.
BLEASE, Acting P.J.
We concur: Davis, J.
Morrison, J.
- C024045 ETCHEVERRY et al. v. TRI-AG SERVICE, INC. et al. (Not for Publication)**
The judgment is reversed as to Bayer on plaintiffs' misrepresentation cause of action. The judgment is reversed as to Osterlie and Tri-Ag as to the negligence and negligence per-se causes of action. Summary adjudication of all other causes of action is affirmed. The parties shall bear their own costs on appeal.
BLEASE, Acting P.J.
We concur: Nicholson, J.
Morrison, J.
- C032398 NOLAN v. SACRAMENTO COUNTY et al. (Not for Publication)**
The judgment of the trial court is affirmed. We award costs on appeal to the defendants.
NICHOLSON, Acting P.J.
We concur: Callahan, J.
Hull, J.

ADDENDUM

- C034114 In re ATHENA L. et al.; DEPARTMENT OF HEALTH AND HUMAN SERVICES v. JAVIER L. et al.**
Appellant's motion to recall the remittitur is granted. The remittitur issued on August 23, 2000, is ordered recalled, and the trial court clerk is directed to return the original remittitur to this court. The opinion of this court filed on June 23, 2000, is vacated, and the appeal is reinstated.

Upon receipt of the original remittitur from the trial court, the cause will be resubmitted, and the clerk of this court is directed to refile the opinion in the above matter.
SCOTLAND, P.J.